



2728-103
858-102

GP2601

PATENTS

#7 D
Killog
5-22-96
5-29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald A. Katz)
Serial No.: 08/476,662,) Examiner in Parent
Filed: June 7, 1995) T. Brown
For: TELEPHONIC-INTERFACE) Art Unit: 2601
STATISTICAL ANALYSIS SYSTEM)
Docket No.: 9002-1B670USE)
(prev. 6646-101NF))

A M E N D M E N T

707 Wilshire Blvd., 32nd Floor
Los Angeles, CA 90017
May 6, 1996

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In response to the office action dated December 27, 1995,
please amend the above-identified application as follows:

=====

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D. C. 20231.

Date: May 6, 1996
Reena Kuyper
Reena Kuyper

562090 29947430

030 DS 05/21/96 08476662 1 1 103 2728.00 CK

D
08476662

IN THE DRAWINGS:

In Figure 3, please replace "92" with --92A-- as shown in RED in the attached copy.

IN THE SPECIFICATION:

At page 1, line 8, update the status of the ultimate ancestor application to indicate that it is --,now abandoned--.

At page 4, line 21, delete "and", at line 23, and replace the "." with a --;--, and after line 23, insert the following text:

FIGURE 9 is a block diagram illustrating components of the system as spaced apart geographically.

At page 7, line 32, replace "know" with --known--.

At page 17, line 25, after "exit block," replace "92" with --92A--.

At page 25, line 3, before "coupling" insert --and--.

At page 41, after "interface 20" insert the missing mate for the parenthesis --)---.

IN THE CLAIMS:

Please cancel claim 36, without prejudice, and amend claims 29, 32, 35, 39, 40, 41, 43, 45, and 49 as follows:

29. (Amended) A process for controlling operations of an

2 interface with a communication facility, said process including
3 the steps of:

4 providing products carrying participation numbers
5 specifying limits on use to entitle individual callers to
6 access operations of said interface with said communication
7 facility;

8 coupling remote terminals to said interface for
9 providing voice signals to said individual callers as to
10 provide vocal operating instructions to said individual
11 callers;

12 receiving digital identification data from said
13 individual callers responsive to said voice signals
14 including said participation numbers for said individual
15 callers and answer data provided from said remote terminals
16 under control of said individual callers;

17 qualifying said individual callers by testing to
18 determine if said individual callers are entitled to access
19 said operations of the interface based on said limits on use
20 specified by said participation numbers for said individual
21 callers and accordingly providing approval signals for
22 qualified individual callers;

23 accessing a memory with said participation numbers for
24 said individual callers and storing data relating to calls
25 from said individual callers; and

26 processing at least certain of said answer data and
27 said identification data responsive to said approval signals

D2
28 cancel

to isolate a subset of ~~F~~ individual callers.

D3
1 Sub 32. (Amended) A process according to claim 29, wherein
2 SG2 said communication facility automatically provides called
3 terminal digital data (DNIS) to identify a specific format for
4 executing operations of said interface.

D4
1 135. (Amended) A process according to claim ~~34~~⁶³⁴, wherein
2 said calling terminal digital data is tested to control access to
3 said operations of the interface.

1 SG4 39. (Amended) An analysis control system according to
2 claim 38, wherein said calling order sequence is indicative of
3 caller transaction [order] data.

D5
1 SG2 40. An analysis control system for use with a communication
2 facility including remote terminals for individual callers,
3 wherein each of said remote terminals may comprise a conventional
4 telephone instrument including voice communication means, and
5 digital input means in the form of an array of alphabetic numeric
6 buttons for providing data, said analysis control system
7 comprising:

8 an interface structure coupled to said communication
9 facility to interface each of said remote terminals for
10 voice and digital communication, and including means to
11 provide caller data signals representative of data relating

54



12 to said individual callers developed by said remote
13 terminals and including means to automatically receive
14 calling terminal digital data from said communication
15 facility;

16 voice generator structure coupled through said
17 interface structure for actuating each of said remote
18 terminals as to provide vocal operating instructions to each
19 of said individual callers;

20 record structure, including memory and control means,
21 connected to receive said caller data signals from said
22 interface structure for accessing a file; and

23 designation structure coupled to said interface
24 structure and said record structure for developing
25 individual designations for said individual callers,
26 indicative of caller significance in order to isolate a
27 subset of said individual callers at calling remote
28 terminals.

1 41. (Amended) ~~An analysis system for use with a~~

2 ~~communication facility including remote terminal apparatus for~~
3 ~~individual callers, wherein said remote terminal apparatus may~~
4 ~~comprise a conventional telephone instrument including voice~~
5 ~~communication means, and digital input means in the form of an~~
6 ~~array of alphabetic numeric buttons for providing identification~~
7 ~~and answer data, said analysis system comprising:~~

8 interface means selectively coupled to said

9 communication facility to interface said terminal apparatus
10 for voice and digital communication and including means to
11 provide signals values from data developed by said terminal
12 apparatus;

13 voice generator means selectively coupled through said
14 interface means to said terminal apparatus for providing
15 vocal operating instructions to said individual callers;

16 designation means selectively coupled to said interface
17 means for assigning individual designations to said
18 individual callers; and

19 processing means for providing processing data, and
20 storage means for [registered] registering said processing
21 data, said processing means for isolating a subset of said
22 individual callers based on repeated comparisons of said
23 [registered] processing data [and] registered against said
24 processing data including data associated with said
25 individual callers.

D5
14 43. (Amended) An analysis control system according to
12
1 claim 41, wherein said voice generator means is driven to prompt
2 [said] certain select ones of said individual callers to provide
3 telephone number data for storage.

D7
16 45. (Amended) An analysis control system according to
12
2 claim 41, further comprising:
transfer means for transferring certain of calls from

$\frac{D_1}{\text{cancel}} \frac{4}{5}$

D8¹

sub
F3
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

8
9
10
11

12
13
14
15
16
17
18

56

19 record means, including memory and control means,
20 connected to said interface structure for accessing a file
21 and storing data relating to said individual callers;
22 designation means coupled to said interface structure
23 and said record means for assigning individual designations
24 to said individual callers and storing said designations in
25 said record means as part of said data relating to said
26 individual callers, said designation means including means
27 for storing representations of a customer number and other
28 data provided by a caller; and
29 encoding means coupled to said record means and said
30 designation means for encoding at least certain of said data
31 relating to said individual callers. ✓

1 ~~u-51~~. An analysis control system according to claim 50,
2 wherein said other data provided by said caller includes caller
3 PIN number data. ✓

1 ~~u-52~~²³. An analysis control system according to claim ~~51~~²²,
2 wherein said other data further includes caller credit card
3 data. ✓

1 ~~u-53~~²⁴. An analysis control system according to claim ~~52~~²³,
2 wherein said other data further includes credit card expiration
3 data. ✓

1 ²⁵
~~54~~. An analysis control system according to claim ²³~~52~~,
2 wherein said caller credit card data is verified to approve said
3 caller. ✓

Sub
FY
1 ✓ 55. An analysis control system according to claim 50,
2 wherein said customer number data is tested to determine if said
3 data indicates negative or cancelled status. ✓

1 ✓ 56. An analysis control system for use with a
2 communication facility including remote terminals for individual
3 callers, wherein said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means, and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data, said analysis
7 control system comprising:
8

9 interface structure coupled to said communication
10 facility to interface said remote terminals for voice and
11 digital communication, and including means to provide caller
12 data signals representative of data relating to said
13 individual callers developed by said remote terminals and
14 including means to automatically receive called number
15 identification signals (DNIS) to identify a select one of a
16 plurality of different called numbers;

16 record structure, including memory and control means,
17 connected to receive said caller data signals from said
18 interface structure for accessing a file and storing certain

19 of said data developed by said remote terminals relating to
20 certain select ones of said individual callers; and
21 qualification structure coupled to said record
22 structure for qualifying said individual callers based on at
23 least two forms of distinct identification including caller
24 customer number data and at least one other distinct
25 identification data element consisting of personal
26 identification data provided by a respective one of said
27 individual callers. ✓

1 ²⁸
~~57~~. An analysis control system according to claim ²⁷~~56~~,
2 wherein said caller data signals include signals indicative of
3 caller credit card number data provided by said individual
4 callers. ✓

1 ~~58~~. An analysis control system according to claim 57,
2 wherein said caller data signals further include signals
3 indicative of credit card expiration data. ✓

1 ~~59~~. An analysis control system according to claim 57,
2 wherein said credit card number data is verified on-line. ✓

1 ³¹
~~60~~. An analysis control system according to claim ²⁷~~56~~,
2 wherein said caller customer number data is tested to determine
3 if caller status is unacceptable or cancelled. ✓

59

1 ³²
2 ~~61~~. An analysis control system according to claim ²⁷~~56~~,
3 wherein said qualification structure qualifies said individual
callers to provide access to at least a portion of said system. ~~44~~

1 Sub F6 ~~62~~. An analysis control system according to claim 61,
2 wherein said personal identification data is PIN number data. ~~45~~

1 Sub G11 ~~63~~. An analysis control system according to claim ~~56~~,
2 wherein at least one distinct identification is provided by said
3 individual callers on-line and at least one of said two forms is
4 stored in said record structure for subsequent use. ~~46~~

1 Sub F7 ~~64~~. An analysis control system according to claim ~~56~~,
2 wherein said access to at least a portion of said system is
3 provided based upon a computer generated number identifying a
4 previous transaction, said computer generated number indicative
5 of caller transaction order data. ~~47~~

1 ~~65~~. An analysis control system according to claim 56,
2 wherein said caller customer number is calling number
3 identification data automatically provided by said communication
4 facility. ~~48~~

1 ³⁷
2 ~~66~~. An analysis control system according to claim ²⁷~~56~~,
3 wherein said qualification structure is further controlled by
said record structure for testing at least certain of said caller

4 data signals provided by said respective one of said individual
5 callers to specify a consumable participation key for said
6 respective one of said individual callers. ✓

Sub
F8
1 ~~67.~~ An analysis control system according to claim 66,
2 wherein said consumable participation key is comprised of at
3 least said two forms of distinct identification. ✓

1 ~~68.~~ An analysis control system according to claim 67,
2 wherein at least one of said at least two forms of distinct
3 identification includes social security data. ✓

Dep
Cont'd
Sub
G12
1 ~~69.~~ An analysis control system according to claim 67,
2 wherein at least one of said at least two forms of distinct
3 identification includes caller PIN number data. ✓

1 ~~70.~~ An analysis control system according to claim 67,
2 wherein at least said one other of said distinct identification
3 data comprises initials data. ✓

42
1 ~~71.~~ An analysis control system according to claim ²⁷~~56~~,
2 wherein said called number identification signals (DNIS) are
3 received by one of a plurality of call distributors. ✓

43
1 ~~72.~~ An analysis control system according to claim ⁴²~~71~~,
2 wherein said plurality of call distributors are at different

3 geographic locations. *lv*

1 ~~*lv* 73. An analysis control system according to claim 71,~~
2 *Sub F9* ~~wherein said plurality of call distributors are accessed under~~
3 ~~control of call allocation routing capability. *lv*~~

1 ~~*lv* 74. A system according to claim 56, wherein said select~~
2 ~~one of said different called numbers identifies a select format~~
3 ~~from a plurality of formats. *lv*~~

1 ~~*lv* 75. A system according to claim 74, wherein said select~~
2 *Sub F10* ~~format is one form of a television initiated mail order format. *lv*~~

1 *Sub F10* ~~*lv* 76. A system according to claim 74, wherein said select~~
2 ~~format is one form of a merchandising operation. *lv*~~

1 *Sub F10* ~~*lv* 77. A system according to claim 76, wherein said one form~~
2 ~~of said merchandising operation further receives and stores at~~
3 ~~least a portion of calling number identification signals~~
4 ~~automatically provided by said communication facility. *lv*~~

1 ~~*lv* 78. An analysis control system according to claim 74,~~
2 ~~wherein an additional form of distinct identification is provided~~
3 ~~by said individual callers on-line and is stored for subsequent~~
4 ~~use. *lv*~~

1 ~~479.~~ An analysis control system according to claim 74,
2 wherein at least one of either said caller customer number data
3 or said personal identification data element is provided on-line
4 for said callers and for storing said caller customer number data
5 or said personal identification data in said record structure for
6 subsequent use. ✓

1 ~~480.~~ An analysis control system according to claim 56,
2 wherein said certain of said callers at said remote terminals are
3 switched to any one of a plurality of live operators. ✓

1 ~~481.~~ An analysis control system according to claim 80,
2 wherein said live operators can enter at least a portion of said
3 caller data relating to said ~~certain~~ select ones of said
4 individual callers through interface terminals. ✓

1 ~~482.~~ A system according to claim 56, wherein said
2 qualification structure further executes a test for unacceptable
3 numbers based upon data developed by said remote terminals. ✓

1 ⁵¹
~~483.~~ An analysis control system according to claim ²⁷~~56~~,
2 further comprising:

3 means for providing computer generated number data
4 indicative of sequence data to said individual callers. ✓

1 ⁵²
~~484.~~ An analysis control system according to claim ⁵¹~~83~~,

2 wherein said sequence data indicates caller transaction order
3 data. *h*

1 ⁵³~~53~~ 485. An analysis control system according to claim ⁵¹~~83~~,
2 wherein said personal identification data comprises caller social
3 security number data. *h*

1 ⁵⁴~~486~~. An analysis control system according to claim ⁵¹~~83~~,
2 wherein said personal identification data comprises a PIN
3 number. *A*

1 ⁵⁵~~487~~. An analysis control system according to claim ⁵¹~~83~~,
2 wherein said personal identification data comprises caller
3 telephone number data. *h*

1 ~~488~~. An analysis control system according to claim 56,
2 wherein at least one of said plurality of called numbers
3 identifies a distinct operating process merchandising format for
4 processing with customer's interactive order. *h*

1 ~~489~~. An analysis control system according to claim 88,
2 wherein said qualification structure tests said individual
3 callers credit. *h*

1 ~~490~~. An analysis control system according to claim 89,
2 wherein said qualification structure testing for credit tests

3 ~~said caller customer number for unacceptable credit status.~~ ⁶⁰

1 ~~91. An analysis control system according to claim 90,~~
2 ~~wherein said qualification structure testing for credit tests by~~
3 ~~scoring the instant transaction for credit approval.~~ ⁵⁶

1 ~~92. An analysis control system according to claim 88,~~
2 ~~whereby said individual callers enter data indicative of the item~~
3 ~~for order.~~ ⁶⁰

1 ~~93. An analysis control system according to claim 92,~~
2 ~~further comprising:~~ ⁶¹

3 means for providing computer generated number data
4 indicative of sequence data to said individual callers
5 wherein said sequence data indicates caller transaction
6 order data. ⁶⁰

1 ~~94. An analysis control system according to claim 93,~~
2 ~~wherein said personal identification data comprises social~~
3 ~~security number data.~~ ⁶¹

1 ~~95. An analysis control system according to claim 94,~~
2 ~~wherein said personal identification data comprises a PIN~~
3 ~~number.~~ ⁶⁵

1 ~~96. An analysis control system according to claim 94,~~

2 wherein at least one of either said caller customer number data
3 or said personal identification data element is provided on-line
4 for said callers and for initially storing said caller customer
5 number data or said personal identification data in said record
6 structure for subsequent use. ¹⁴

1 ⁹⁷. An analysis control system for use with a
2 communication facility including remote terminals for individual
3 callers, wherein each of said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means, and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data, said analysis
control system comprising:

8 an interface structure coupled to said communication
9 facility to interface said remote terminals for voice and
10 digital communication, and including means to provide caller
11 data signals representative of data relating to said
12 individual callers developed by said remote terminals and
13 including means to automatically receive called number
14 identification signals (DNIS) to identify a select format
15 from a plurality of formats;

16 voice generator structure coupled through said
17 interface structure for actuating said remote terminals as
18 to provide voice operating instructions to said individual
19 callers;

20 record structure, including memory and control means,

21 connected to receive said caller data signals from said
22 interface structure for accessing a file and storing digital
23 caller data relating to said individual callers provided
24 from said digital input means through said interface
25 structure; and

26 qualification structure for testing caller data signals
27 provided by at least one of said individual callers to
28 specify a consumable participation key and further during a
29 predetermined time for restricting the extent of access to
30 at least a portion of said system by said one of said
31 individual callers on the basis of entitlement.

1 ~~67~~ 68. An analysis control system according to claim 97,
2 wherein said caller data signals compare a plurality of data
3 elements for identifying a caller or a caller transaction or
both.

1 ~~67~~ 66. An analysis control system according to claim 98,
2 wherein said consumable participation key is comprised of at
3 least two forms of distinct identification.

1 ~~68~~ 68. A process for controlling operations of the
2 interface with a telephonic communication system including remote
3 terminals for individual callers, wherein each of said remote
4 terminals may comprise a conventional telephone instrument
5 including voice communication means and digital input means in

6 the form of an array of alphabetic numeric buttons for providing
7 data and wherein said telephonic communication system has a
H 8 capability to automatically provide~~s~~ call data signals,
9 indicative of calling number identification data or called number
10 identification data (DNIS) or both, said process including the
11 steps of:

12 providing products carrying concealed participation
13 numbers specifying limits on use to entitle individual
14 callers to access said operations of the interface with said
15 telephonic communication system;

16 receiving said call data signals indicative of called
17 number identification data including a called number (DNIS)
18 dialed by a respective one of said individual callers to
19 select a specific operating format from a plurality of
20 operating formats of said operations of the interface;

21 coupling said remote terminals to said interface for
22 providing voice signals to said individual callers and
23 generating said voice signals for actuating said remote
24 terminals as to provide vocal operating instructions to
25 specific ones of said individual callers;

26 receiving digital identification data from said
27 individual callers responsive to said voice signals
28 including said participation numbers for said individual
29 callers and answer data developed by said remote terminals
30 under control of said individual callers;

31 qualifying said individual callers by testing to

32 determine if said individual callers are entitled to access
33 said operations of the interface based on said limits on use
34 specified by said participation numbers for said individual
35 callers and accordingly approving qualified individual
36 callers;

37 conditionally accessing a memory with said
38 participation numbers and storing data relating to calls
39 from said individual callers;

40 processing at least certain of said answer data
41 responsive to approving said qualified individual callers;
42 and

43 providing on-going accounting data to said individual
44 callers at intervals during calls from said individual
45 callers. ⁶⁹

DA
CONFIDENTIAL
2 ⁶⁸ ~~101~~. A process according to claim ~~100~~, further including
the step of:

3 updating said limits on use on-line. ⁶⁸

Sub
FB
1 ~~102~~. A process according to claim ~~100~~, wherein said
2 qualifying step limits access by said individual callers to a
3 predetermined interval. ⁶⁸

1 ⁷¹ ~~103~~. A process according to claim ~~100~~, wherein said
2 processing step further includes:
3 processing at least certain of said answer data

4

provided to questions with respect to a poll. 4

Sub
F14

~~104. A process according to claim 103, wherein said
select format is an automated promotional format associated with
said select format. 4~~

1

73
105

A process according to claim 104, wherein said

2

participation numbers are provided in the packaging of said

3

products. 4

1

74
106

A process according to claim 105, wherein said

2

participation numbers are associated with an automated promotion

3

of said products. 4

1

75
107

A process according to claim 106, wherein said

2

participation numbers are concealed within said products. 4

1

108

A process according to claim 100, further comprising
the step of:

2

allocating calls from said individual callers to window

3

callers. 4

1

109

A process for controlling operations of the

2

interface with a telephonic communication system according to

3

claim 100, further comprising the step of:

4

receiving said call data signals indicative of calling

69

5 number identification data with respect to all or nearly all
6 of said individual callers.

1 ~~110. A process according to claim 109, wherein at least a~~
2 ~~part of said calling number identification data is utilized in~~
3 ~~said processing step.~~

1 ~~111. A process for controlling operations of an interface~~
2 ~~with a telephonic communication system including remote terminals~~
3 ~~for individual callers, wherein each of said remote terminals may~~
4 ~~comprise a conventional telephone instrument including voice~~
5 ~~communication means and digital input means in the form of an~~
6 ~~array of alphabetic numeric buttons for providing data and~~
7 ~~wherein said telephonic communication system has a capability to~~
8 ~~automatically provide call data signals indicative of calling~~
9 ~~number identification data or called number identification data~~
10 ~~(DNIS) or both, said process including the steps of:~~

11 providing products carrying concealed participation
12 numbers specifying limits on use to entitle individual
13 callers to access said operations of the interface with said
14 telephonic communication system;

15 receiving said call data signals indicative of called
16 number identification data including a called number (DNIS)
17 dialed by individual callers to select a specific operating
18 format from a plurality of operating formats of said
19 operations of the interface;

20 coupling remote terminals to said interface for
21 providing voice signals to said individual callers and
22 generating said voice signals for actuating said remote
23 terminals as to provide vocal operating instructions to
24 specific ones of said individual callers;

25 receiving digital identification data from said
26 individual callers responsive to said voice signals
27 including said participation numbers and answer data
28 provided from said remote terminals under control of said
29 individual callers;

30 qualifying said individual callers by testing to
31 determine if said individual callers are entitled to access
32 said operations of the interface based on said limits on use
33 specified by said participation numbers and accordingly
34 approving qualified individual callers;

35 conditionally aborting interaction during said
36 operations of the interface with an individual caller at a
37 remote terminal and coupling said remote terminal to an
38 interface terminal under predetermined conditions for direct
39 personal communication;

40 accessing a memory with said participation numbers and
41 storing data relating to calls from said individual callers;
42 and

43 processing at least certain of said answer data
44 responsive to approving said qualified callers.

1 ⁸⁰~~112~~. A process according to claim ⁷⁹~~111~~, further comprising
2 the step of:

3 providing on-going accounting data to said individual
4 callers at intervals during calls from said individual
5 callers. ~~67~~

1 ⁸¹~~113~~. A process according to claim ⁷⁹~~111~~, further including
2 the step of:

3 updating said limits on use on-line. ~~7~~

1 ⁸²~~114~~. A process according to claim ~~111~~, wherein said step
2 of receiving includes receiving said called number identification
3 data to identify one form of an automated promotional format
4 associated with said product as said specific operating format. ~~7~~

1 ⁸³~~115~~. A process according to claim ⁷⁹~~111~~, wherein said step
2 of qualifying based upon said limits on use takes place on-
3 line. ~~7~~

1 ⁸⁴~~116~~. A process according to claim ⁷⁹~~111~~, wherein said
2 processing step further includes:

3 processing at least certain of said answer data
4 provided to questions with respect to a poll. ~~7~~

1 ⁸⁵~~117~~. A process according to claim ⁷⁹~~111~~, wherein said
2 participation numbers are provided in the packaging of said

3 products. ⁸⁶ ~~118~~

1 ⁸⁵ ~~118~~. A process according to claim ~~117~~, wherein said
2 participation numbers are associated with an automated promotion
3 of said products. ~~118~~

^{Sub F18} ~~119~~. A process for controlling operations of the
interface with a telephone communication system, said process
including the steps of:

4 providing products carrying participation numbers
5 concealed within the packaging of said products, said
6 participation numbers specifying limits on use to entitle
7 individual callers to access said operations of the
8 interface with said telephone communication system;

9 coupling remote terminals to said interface for
10 providing voice signals to said individual callers and
11 generating said voice signals for actuating said remote
12 terminals as to provide vocal operating instructions to
13 specific ones of said individual callers;

14 receiving digital identification data from said
15 individual callers responsive to said voice signals
16 including said participation numbers for said individual
17 callers and answer data provided from said remote terminals
18 under control of said individual callers;

19 qualifying said individual callers by testing to
20 determine if said individual callers are entitled to access

21 said operations of the interface based on said limits on use
22 specified by said participation numbers for said individual
23 callers and accordingly approving qualified individual
24 callers;

25 accessing a memory with said participation numbers for
26 said individual callers and storing data relating to calls
27 from said individual callers;

28 processing at least certain of said answer data
29 responsive to approving said qualified callers;

30 receiving calling number identification signals from
31 said communication facility for said individual callers and
32 utilizing at least part of said calling number
33 identification signals in said processing step.

88
1 ~~120~~. A process according to claim ~~119~~⁸⁷, further including
2 the step of:

3 updating said limits on use on-line

89
1 ~~121~~. A process according to claim ~~119~~⁸⁷, wherein said
2 process is for automating a promotion.

1 ~~122~~. A process according to claim 119, wherein said step
2 of qualifying based upon said limits on use takes place on-
3 line --

91 A process
1 ~~123~~. An analysis control system according to claim ~~119~~⁸⁷,

2 wherein said processing step further includes:
3 processing at least certain of said answer data
4 provided to questions with respect to a poll. *hm*

1 *H* ^{92 A process} ~~124. An analysis control system~~ according to claim ⁸⁷ ~~119~~,
2 wherein said participation numbers are associated with an
3 automated promotion of said products. *hm*

Sub F20
1 *Sub F20* --125. An analysis control system for use with a
2 communication facility including remote terminals for individual
3 callers, wherein each of said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data and wherein said
7 communication facility has a capability to provide call data
8 signals indicative of calling number identification data and
9 called number identification data for at least certain of said
10 individual callers, said analysis control system comprising:
11 interface structure coupled to said communication
12 facility to interface each of said remote terminals for
13 voice and digital communication, and including means to
14 provide signals representative of data developed by said
15 remote terminals and for receiving said calling number
16 identification data and said called number identification
17 data (DNIS) to identify one from a plurality of called
18 numbers;

19 voice generator structure coupled through said
20 interface structure for actuating said remote terminals as
21 to provide vocal operating instructions to said individual
22 callers;

23 record structure, including memory and control means,
24 connected to said interface structure for accessing a file
25 and storing data relating to certain select ones of said
26 individual callers in accordance with said calling number
27 identification data;

28 qualification structure controlled by said record
29 structure for controlling access to said system by said
30 individual callers; and

31 means for processing at least certain of said data
32 developed by said terminals relating to certain select ones
33 of said individual callers.--

1 --126. An analysis control system according to claim 125,
2 further comprising:

3 call allocation routing capability to window individual
4 callers.--

1 --127. An analysis control system according to claim 126,
2 wherein said one called number corresponds to a select one of a
3 plurality of formats.--

1 --128. An analysis control system for use with a

2 communication facility including remote terminals for individual
3 callers, wherein each of said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means, and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data, said analysis
7 control system comprising:

8 an interface structure coupled to said communication
9 facility to interface said remote terminals for voice and
10 digital communication, and including means to receive answer
11 data signals provided by said individual callers from said
12 remote terminals wherein said communication facility
13 automatically provides called number identification data
14 signals indicating a called number (DNIS) dialed by an
15 individual caller and said called number (DNIS) is one of a
16 plurality of called numbers;

17 voice generator structure coupled through said
18 interface structure for actuating said remote terminals as
19 to provide vocal operating instructions to said individual
20 callers;

21 record structure including memory and control means for
22 storing answer data signals and for receiving identification
23 data signals for specific individual callers, said record
24 structure further including means for receiving additional
25 identification data signals on-line for said specific
26 individual callers and for storing said additional
27 identification data signals in said record structure for

28 subsequent identification of said callers; and
29 means for processing at least certain of said answer
30 data signals relating to select ones of said callers.--

1 ⁹⁷
~~129~~. An analysis control system according to claim ⁹⁶~~128~~,
2 wherein calling number identification signals automatically
3 provided by said communication facility are received and
4 processed by said system.~

5 ^{Sub}
6 ^{F21}
7 ~~130~~. An analysis control system according to claim 128,
8 wherein said identification data comprises caller customer number
9 data.--

10 ^{Sub}
11 ^{F21}
12 ~~131~~. An analysis control system according to claim 130,
13 wherein said additional identification data comprises at least
14 one of caller PIN number data, caller initials data or caller
15 telephone number data.--

16 ^{Sub}
17 ^{G24}
18 ~~132~~. An analysis control system according to claim 130,
19 wherein said caller customer number data comprises calling number
20 identification data automatically provided by said communication
21 facility.~

22 ~~133~~. An analysis control system, according to claim 128,
23 wherein said identification data signals include data indicative
24 of caller customer number data and additional data indicative of

4 ~~caller social security number data.~~

1 --134. An analysis control system, according to claim 133,
2 wherein said additional identification signals are indicative of
3 caller PIN number data.--

1 --135. An analysis control system according to claim 133,
2 further comprising:
3 call allocation routing capability to window individual
4 callers.--

1 --136. A system according to claim 128, further comprising:
2 means for providing computer generated number data
3 indicative of caller transaction sequence data and storing
4 said computer generated number data in said record
structure.--

1 --137. A system according to claim 136, wherein said
2 computer generated number data are provided in a chronological
3 order to said individual callers during a data acquisition
4 phase.--

1 --138. A system according to claim 128, wherein said
2 plurality of called numbers identify a plurality of distinct
3 operating formats.--

1 ~~139. A system according to claim 138, further comprising~~
2 qualification structure to test callers on the basis of
3 limits specified on use.--

1 --140. A system according to claim 138, wherein a select
2 one of said plurality of formats is an automated ordering
3 format.--

1 --141. An analysis control system for use with a
2 communication facility including remote terminals for individual
3 callers, wherein each of said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data, said analysis
7 control system comprising:

1 interface structure coupled to said communication
2 facility to interface said terminals for voice and digital
3 communication and including means to provide signals
4 representative of data developed by said terminals;

1 voice generator structure selectively coupled through
2 said interface structure to said terminals for providing
3 vocal operating instructions to individual ones of said
4 callers;

1 record memory connected to said interface structure for
2 accessing a file and storing data relating to certain select
3 ones of said individual callers including voice data and

19 digital data developed by said terminals;
20 structure selectively coupled to said interface
21 structure and said record memory for providing computer
22 generated numbers to said individual callers and storing
23 said computer generated numbers in said record memory; and
24 analysis structure connected to said record memory for
25 processing at least certain of said data relating to certain
26 select ones of said individual callers to isolate a subset
27 of said callers; and
28 means to control processing formats of said analysis
29 structure in accordance with signals automatically provided
30 by said communication facility indicative of one of a
31 plurality of called numbers (DNIS).--

1 ~~Sub G26~~ 142. An analysis control system according to claim 141,
2 wherein said signals representative of data include credit card
3 number data.

1 143. An analysis control system according to 142, wherein
2 said credit card number data is verified.

1 --144. An analysis control system according to claim 141,
2 wherein one of said plurality of called numbers is a pay to dial
3 number.--

1 --145. A control system according to claim 141, wherein

2 said one of a plurality of ~~called numbers~~ (DNIS) identifies a
3 select format from a plurality of ~~operating~~ formats.--

Sub
F24
1 --146. A control system according to claim 145, wherein one
2 form of said select format polls certain callers for personal
3 information data.--

1 --147. A control system according to claim 146, wherein
2 said personal information data includes physical characteristic
3 data.--

1 --148. A control system according to claim 147, wherein
2 said physical characteristic data includes age data.--

DI
cont
1 --149. An analysis control system for use with a
2 communication facility including remote terminals for individual
3 callers, wherein each of said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data and wherein said
7 communication facility has a capability to provide calling number
8 identification data, said analysis control system comprising:
9 multiple automatic call distributors at geographically
10 distinct locations for receiving calls from individual
11 callers at said remote terminals;
12 interface structure coupled to said communication

13 facility to interface said remote terminals for voice and
14 digital communication and including means to receive caller
15 data signals representative of data relating to said
16 individual callers, including caller personal identification
17 data and said calling number identification data provided
18 automatically by said communication facility;

19 voice generator structure coupled through said
20 interface structure for actuating said remote terminals as
21 to provide vocal operating instructions to said individual
22 callers and to prompt said individual callers to enter data;

23 record testing structure connected to receive and test
24 said caller data signals including said calling number
25 identification data and said caller personal identification
26 data against previously stored calling number identification
27 and caller personal identification data; and

28 analysis structure for receiving and processing said
29 caller data signals under control of said record testing
30 structure.--

1 --150. An analysis control system according to claim 149,
2 further comprising:

3 call allocation routing capability to window individual
4 callers.--

1 --151. A process for controlling operations of an interface
2 with a telephonic communication system including remote terminals

3 for individual callers, wherein each of said remote terminals may
4 comprise a conventional telephone instrument including voice
5 communication means and digital input means in the form of an
6 array of alphabetic numeric buttons for providing data and
7 wherein said telephonic communication system has a capability to
8 automatically provide call data signals indicative of calling
9 number identification data or called number identification data
10 (DNIS) or both, said process including the steps of:

11 providing products carrying participation numbers
12 concealed within said products specifying limits on use
13 relating to a dollar amount to entitle individual callers to
14 access said interface with said telephonic communication
15 system;

16 receiving said call data signals indicative of called
17 number identification data including a called number (DNIS)
18 dialed by individual callers to select a specific operating
19 format from a plurality of operating formats of said
20 interface wherein at least one of said plurality of
21 operating formats includes an automated promotional format
22 for promoting said products;

23 coupling remote terminals to said interface for
24 providing voice signals to said individual callers and
25 generating said voice signals for actuating said remote
26 terminals as to provide vocal operating instructions to
27 specific ones of said individual callers;

28 receiving digital identification data from said

29 individual callers responsive to said voice signals
30 including said participation numbers and answer data
31 provided from said remote terminals under control of said
32 individual callers;

33 qualifying said individual callers by testing to
34 determine if said individual callers are entitled to access
35 said interface based on said limits on use specified by said
36 participation numbers and accordingly approving qualified
37 individual callers;

38 accessing a memory with said participation numbers and
39 storing data relating to calls from said individual callers;

40 processing at least certain of said answer data
41 responsive to approving said qualified callers; and

42 providing on-going accounting data to said individual
43 callers, said on-going accounting data for at least one of
44 said intervals is determined at least in part by said answer
45 data provided by an individual caller during a call and
46 during at least one of said intervals includes real time
47 data provided to an individual caller on-line.--

1 --152. A process according to claim 151, further including
2 a step of aborting interaction between said telephonic
3 communication system and an individual caller at a remote
4 terminal during the operations of the interface and coupling said
5 remote terminal to an interface terminal for direct personal
6 communication.--

1 --153. A process according to claim 152, further comprising
2 the step of:

3 providing prompts to said interface terminal during
4 direct personal communication with data relating to calls
5 from said individual callers.

1 ¹²¹
~~154~~. A process in accordance with claim ¹¹⁹~~152~~, wherein said
2 step of aborting interaction is controlled by the success of said
3 individual caller in accessing said memory.~

1 ~~155~~. A process according to claim ~~151~~, further including
2 a step of limiting access by a caller to said memory under
3 control of a clock.~

1 ^{Sub F25}
~~156~~. A process according to claim 151, wherein said
2 qualifying step limits access by said individual callers to a
3 predetermined interval.---

1 ^{Sub G28}
~~157~~. A process according to claim 151, wherein said
2 receiving step further includes:
3 receiving calling number identification data.~

1 ~158. A process according to claim 157, wherein said
2 processing step further includes processing of at least certain
3 of said calling number identification data.~

1 159. An analysis control system for use with a
2 communication facility including remote terminals for individual
3 callers, wherein each of said remote terminals may comprise a
4 conventional telephone instrument including voice communication
5 means, and digital input means in the form of an array of
6 alphabetic numeric buttons for providing data, said analysis
7 control system comprising:

8 an interface structure coupled to said communication
9 facility to interface said remote terminals for voice and
10 digital communication, and including means to provide caller
11 data signals representative of data relating to said
12 individual callers developed by said remote terminals;

13 voice generator structure coupled through said
14 interface structure for actuating said remote terminals as
15 to provide vocal operating instructions to said individual
16 callers;

17 record structure, including memory and control means,
18 connected to receive said caller data signals from said
19 interface structure for accessing a file relating to said
20 individual callers including said individual callers' credit
21 card numbers provided from said digital input means through
22 said interface structure;

23 credit verification structure to verify on-line said
24 credit card numbers wherein said structure at least verifies
25 said individual callers credit card number has not been
26 cancelled; and

27 qualification structure controlled by said record
28 structure for testing caller data signals provided by said
29 individual callers to specify consumable participation keys
30 for restricting the extent of access to at least a part of
31 said system by said individual callers on the basis of
32 entitlement.--

1 --160. An analysis control system according to claim 159,
2 wherein callers are prompted to provide certain of said caller
3 data signals to identify said individual callers.--

1 ¹²⁷
~~161~~. An analysis control system according to claim ¹²⁵~~159~~,
2 wherein said caller data signals are indicative of initials of
3 name or names. *h*

1 ¹²⁸
~~162~~. An analysis control system according to claim ¹²⁵~~159~~,
2 wherein said caller data signals are indicative of caller social
3 security number data. *h*

1 ¹²⁹
~~163~~. An analysis control system according to claim ¹²⁵~~159~~,
2 wherein said caller data signals are indicative of caller PIN
3 data. *h*

1 ~~164~~. An analysis control system according to claim 159,
2 wherein said caller data signals are indicative of caller
3 telephone number data. *h*

131
1 ~~165~~. An analysis control system according to claim ~~164~~,¹³⁰
2 wherein said caller data signals further are indicative of caller
3 social security number data.~

Sub
G30
1 ~~166~~. An analysis control system according to claim 159,
2 wherein said qualification structure restricts said extent of
3 access by each of said individual callers to a single use
4 entitlement.~

133
1 ~~167~~. An analysis control system according to claim ~~159~~,¹²⁵
2 wherein said qualification structure restricts said extent of
3 access to a limited number of uses.~

134
1 ~~168~~. An analysis control system according to claim ~~159~~,¹²⁵
2 wherein said interface structure includes means to ^{receive} ~~identify~~ one
3 called number from a plurality of called numbers (DNIS).~

135
1 ~~169~~. An analysis control system according to claim ~~168~~,¹³⁴
2 ^{called number identifies} wherein said ~~interface structure includes means to identify~~ one
3 of a plurality of formats.~

136
1 ~~170~~. An analysis control system according to claim ~~159~~,¹²⁵
2 further comprising:
3 structure to receive calling number identification
4 data.~

137
1 ~~171~~. An analysis control system according to claim ~~170~~, 136
2 wherein said record structure stores said calling number
3 identification data at least in part. ✓

Sub
F27
1 --172. An analysis control system according to claim 170,
2 further comprising:
3 processing structure to process at least certain of
4 said calling identification data.--

179
cancel
1 --173. An analysis control system according to claim 159,
2 wherein certain of said caller provided caller data signals are
3 stored in said record structure.--

140
1 ~~174~~. An analysis control system according to claim ~~159~~, 125
2 wherein said qualification structure restricts said extent of
3 access by each of said individual callers to a single use
4 entitlement. ✓

R E M A R K S

This amendment is in response to the office action dated December 27, 1995. The Examiner's acknowledgement of patentable subject matter as indicated in the office action is appreciated.

Paragraph 1 of the office action indicates that the drawings are objectionable. In Figure 3 of the drawings, duplicate use of reference numeral "92" for designating the block captioned "EXIT"

"processing data" is resolved. Claim 43 is amended to recite "certain select ones of said individual callers," thereby eliminating the requirement for antecedent basis.

Paragraph 7 of the office action objects to claim 36 for inconsistent use of terminology. Any occurrence of the terminology "telephone" is replaced with --telephonic--. The same paragraph also rejects claim 45 for being objectionably misdescriptive. Claim 45 is amended to recite --calls from-- callers.

Paragraph 9 of the office action rejects claim 36 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 38 of U.S. Patent No. 4,845,739. Claim 36 is cancelled. As the obviousness-type double patenting rejection was only directed to claim 36, which is cancelled, a terminal disclaimer is not submitted at this time. In the event the Examiner requires one for the other claims, it is requested that he apprise the undersigned either by telephone or in a subsequent communication.

In paragraph 10 of the office action, the Examiner requested Applicant to submit a copy of the Forms PTO-1449 that were submitted and considered in Applicant's parent application Serial No. 08/139,307. Copies of those forms are concurrently provided with this amendment.

By this amendment, claims 50-174 are provided for the Examiner's consideration. The majority of the new claims are dependent claims transferred from the immediately preceding

has been deleted and replaced with reference numeral --92A--. A copy of the drawing Figure 3, indicating this change is RED is attached for the Examiner's convenience. The specification is also amended to reflect the same change.

Paragraph 2 of the office action objects to the disclosure for informalities. By the amendments to the specification requested above, the introductory cross-reference to related applications is updated to reflect the abandoned status of the ultimate ancestor application. The brief description of the drawings has been amended to cite and describe Figure 9 of the drawings. The misspelling at page 7, line 32, of the word "known" has been corrected. The first sentence of page 25 of the specification has been clarified. The closing mate to the opening parenthesis at page 41, line 34, has been inserted.

Paragraphs 4 and 5 of the office action object to the specification and claim 40, under 35 U.S.C. 112, first paragraph, on the basis that the specification does not support the last two lines of claim 40. Those lines are now amended to recite --said individual callers at-- calling remote terminals.

Paragraph 6 of the office action rejects claims 32 and 41-49 under 35 U.S.C. 112, second paragraph. Claim 32 is amended to recite --operations of-- said interface, as have claims 29 and 35. These amendments are consistent with terminology suggested by the Examiner in Applicant's parent applications. Claim 41 is amended to recite isolating a subset --of individual callers--. Also, at lines 19-23 of that claim, the confusion relating to the

parent application (U.S. Serial No. 08/139,307), which were not entered by the Examiner. To facilitate introduction of those dependent claims, independent claims 50, 56, 97, 100, 111, 119, 125, 128, 141, 149, 151, and 159 generally similar in scope to claims 29, 33, 37, 53, 69, 70, 72, 77, 204, and 218, in the immediately preceding parent application, however, with variations, are introduced herein. Also, claims 40 and 41 are concurrently cancelled in the immediately preceding application and are transferred into this application, identified by claim numbers 159 and 174.

Claims 159 and 174 (claims 40 and 41) were rejected under 35 U.S.C. § 103 as unpatentable over Barger et al., when considered with or without the article by Turbat. The following distinctions are urged in that regard.

A "consumable key" is a code provided by a caller, which is examined by the system to determine whether any further access to the system is to be allowed, without it being a function of time. A "consumable key" is not automatically refreshed. Thus, in Applicant's system, a caller may enter information only one time, or some pre-determined finite number of times. If the number of predetermined allowed calls is exceeded (that is, the key number is consumed), the call is terminated.

Applicant submits that the urged interpretation of "consumable key" is apparent by consideration of the proper meaning of the word "consumable." It refers to a number entered by a caller that allows a finite number of calls as identified by

the "consumable key," after which the caller is denied access to the system. By definition, "consumable" means "to do away with completely." The word "consumable," by its definition, clearly precludes that it cannot be automatically refreshed as a function of time. A "consumable key" test is not a rate of use criteria.

Applicant submits that an interpretation by the Examiner that Barger's "key" is "consumable" within the set period is not proper. In Barger, an entirely different function is described. The Barger system does not limit calls in the manner of the Applicant's system; rather it simply changes processing procedures if a caller places some number of calls without a purchase as a function of time. If a caller enters the Barger system several times over a short period of time without a purchase, he may be transferred to a live operator. If, on the other hand, he enters the Barger system the same number of times over the same period of time, but makes purchases, he remains able to listen to recordings (Barger, col. 11, line 42). Furthermore, in Barger, the number of calls is automatically refreshed when the set period expires. Thus, Barger disclosure, while controlling access, does not utilize a "consumable key" function, as does the Applicant.

As for Barger teaching credit verification, Applicant submits that Barger does not teach credit verification in conjunction with qualification. Barger's teaching of credit verification is simply limited to credit card billing purposes.


The above discussed interpretation of "consumable key" again

distinguishes the Canadian patent to De Bruyn. Once again, the word "consumable," by its definition, clearly precludes that it cannot be automatically refreshed as a function of time (for example, fixed time periods of automatic refreshment, i.e., once/day, once/week etc.). Both De Bruyn and Barger are distinct in that regard.

S U M M A R Y

Favorable consideration and allowance of claims 29-35 and 37-174 is respectfully requested.

Respectfully submitted,

By: 
Reena Kuyper
Registration No. 33,830

DARBY & DARBY P.C.
707 Wilshire Blvd., 32nd Floor
Los Angeles, California 90017

Tel: (213) 243-8000

Docket No. 9002-1B670USE
(prev. 6646-101NF)

6646\101nf\am1